

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

THE VILLAGE OF MINOOKA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	NO.
	)	
BOND SAFEGUARD INSURANCE	)	
COMPANY, an Illinois Corporation, and	)	
NC HOLDING, LLC, an Illinois Limited	)	
Liability Company,	)	
	)	
Defendants.	)	

**NOTICE OF REMOVAL**

NOW COMES Bond Safeguard Insurance Company (“BSIC”), by its attorneys Cornelius F. Riordan and Megan M. Burke of Riordan, McKee & Piper, LLC, removes the captioned matter from the Circuit Court for the 13<sup>th</sup> Judicial Circuit, Grundy County, Illinois to the United States District Court for the Northern District of Illinois, Eastern Division, pursuant to 28 U.S.C. §1441, on the basis that this court has original jurisdiction over this case under 28 U.S.C. §1332(a)(1) (Diversity of Citizenship) and in support, states:

1. This is an action for breach of contract and other relief under a Subdivision Bond with BSIC, as surety, NC Holding, LLC, as principal, and the Village of Minooka (“Village”), as obligee.
2. This court has jurisdiction over this case pursuant to 28 USC §1332(a)(1), in that there is complete diversity of citizenship between the plaintiff and the defendants and the amount in controversy, exclusive of costs, interest and attorneys fees, exceeds the sum of \$75,000.00.

3 The Village is a non-home rule municipality established pursuant to Article 7, section 1 of the Illinois Constitution of 1970 as well as the Illinois Municipal Code 65 ILCS 5/1-1.” (Complaint ¶1) **(A copy of the summons and Complaint and Exhibits thereto are attached as Exhibit A).**

4. BSIC is a corporation organized and existing under the law of South Dakota with its principal place of business in Mt. Juliet, Tennessee.

5. NC Holding, LLC is a Limited Liability Company organized and existing under the law of Nevada with its principal place of business in Incline Village, Nevada.

6. The Village seeks damages in the amount of \$253,927.50 exclusive of interest and costs. (Complaint ¶¶6, 9).

7. This Notice of Removal is timely filed within thirty days of service of process on BSIC, which was served on February 12, 2015. **(A Copy of the Sheriff’s Affidavit effectuating service on BSIC is attached as Exhibit B).**

8. Venue is proper in this district pursuant to 28 USC §1391(b)(2) in that a substantial portion of the acts or omissions giving rise to the claim occurred in this district.

9. The pleadings attached to this Notice are true and correct copies of the contents of the court file maintained in this matter by the Clerk of the Grundy County, Illinois Circuit Court.<sup>1</sup>

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<sup>1</sup> The pleadings attached hereto do not include a notice of filing pertaining to the returned executed summons on BSIC.

BOND SAFEGUARD INSURANCE COMPANY

By: /s/ Cornelius F. Riordan  
One of Its Attorneys

Cornelius F. Riordan (IL ARDC #2342634)  
Megan M. Burke (IL ARDC #6308670)  
*Attorneys for Bond Safeguard Insurance Company*  
RIORDAN, MCKEE & PIPER, LLC  
20 N. Wacker  
Suite 910  
Chicago, IL 60606  
Tel: (312) 663-9400  
Fax: (312) 663-1028

**CERTIFICATE OF SERVICE**

The undersigned, under 28 U.S.C. §1746 and under penalties of perjury, certifies that on March 13, 2015, she caused to be served a true and correct copy of the foregoing:

**NOTICE OF REMOVAL**

upon: Michael R. Stiff  
Christian G. Spesia  
*Attorneys for Plaintiff*  
SPESIA & AYERS  
1415 Black Road  
Joliet, IL 60435

NC Holding, LLC  
Francis O'Brien & Sons Publishing Co., Inc., Registered Agent  
2050 S. Magic Way #295  
Henderson, NV 89002

by depositing the same in the U.S. mail at 20 N. Wacker, Chicago, Illinois, with proper postage prepaid.

/s/ Megan M. Burke